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EXAMINER

LY, ANH

ART UNIT

PAPER NUMBER

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/532,402	Applicant(s) KEPLER ET AL.	
	Examiner Anh Ly	Art Unit 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
4a) Of the above claim(s) 2,4-6,8-10 and 27 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,3,7,11-26 and 28-35 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 22 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/21/2005 (5p)</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is response to Applicants' Amendment filed on 07/21/2005.
2. Claims 2, 4-6, 8-10 and 27 have been cancelled.
3. Claims 1, 3, 7, 11, 12-19, 20-26, 28, and 29-35 are pending in this application.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1, 3, 12-19, 20-26, 28 and 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent No.: US 6,374,241 B1 issued to Lamburt et al. (hereinafter Lamburt) in view of Patent No.: US 6,163,597 issued to Voit.

With respect to claim 1, Lamburt teaches a method for providing a search output responsive to a query (search result from a search request: figs. 30, and 37-38, col. 17, lines 40-65 and col. 30, lines 32-60);

maintaining a search-routing database (fig. 25, modifications or updating database: col. 13, lines 35-58);

receiving a query from a user said query comprising search request data in a plurality of search request fields of predetermined types (the search request including the geographical area code such as search term for retrieving the type of area code; col. 61, lines 1-18);

selecting the search request data in at least one of the search request fields (col. 61, lines 1-18; also col. 21, lines 30-50 and col. 23, lines 25-38);

searching said search-routing database for at least one database identifier, based on the selected search request data (database identifier is a area code, from which that area code database to be search: col. 23, lines 25-65).

Lamburt teaches maintaining a searchable database, receiving a search request including the search term such as geographical area code or area code from the user of the system, and the area code is a database identifier based on the search request. Lamburt does not clearly teach routing the query to a first database identified by said at least one database identifier and a second database associated with the first database,

searching the second database for database records responsive to the query; searching the second database for an update record responsive to the query; determining whether a delete indicator is made in the update record; and including in a search output the records responsive to the query except at least one or more of the database records which correspond to the update record when the delete indicator is made in the update record.

However, Voit teaches using the result of first database as a key to retrieve the data in the second database (abstract, col. 2, lines 1-12 and col. 3, lines 60-67 and col. 4, lines 1-3); deletion indicator for making update or modifications record (col. 9, lines 20-32 and col. 10, lines 25-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Lamburt with the teachings of Voit. One having ordinary skill in the art would have found it motivated to utilize the use of routing query to the first database with at least one database identifier associated with the second database and a deletion indicator as disclosed (Voit's abstract and col. 9, lines 20-32), into the system of Lamburt for the purpose of enabling the user to search, access and update the distributed database records over the network with multiple databases, thereby, providing the systems having routing plans more efficient (Voit's fig. 8 and col. 10, lines 18-25).

With respect to claim 3, Lamburt teaches a method as discussed in claim 1. Lamburt teaches maintaining a searchable database, receiving a search request including the search term such as geographical area code or area code from the user of

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the system, and the area code is a database identifier based on the search request.

Lamburt does not clearly teach wherein the delete indicator comprises at least one field of the update record.

However, Voit teaches deletion indicator for making update or modifications record (col. 9, lines 20-32 and col. 10, lines 25-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Lamburt with the teachings of Voit. One having ordinary skill in the art would have found it motivated to utilize the use of routing query to the first database with at least one database identifier associated with the second database and a deletion indicator as disclosed (Voit's abstract and col. 9, lines 20-32), into the system of Lamburt for the purpose of enabling the user to search, access and update the distributed database records over the network with multiple databases, thereby, providing the systems having routing plans more efficient (Voit's fig. 8 and col. 10, lines 18-25).

With respect to claim 12, Lamburt teaches a method of routing search requests (col. 7, lines 32-48 and col. 22, lines 65-67 and col.23, lines 1-38);

receiving a search request at a receiving server, the receiving server having one or more first databases accessible for searching- the search request comprising search request data in a plurality of search request fields of predetermined types (the search request including the geographical area code such as search term for retrieving the type of are code; col. 61, lines 1-18);

selecting search request data in at least one of the search request fields (col. 61, lines 1-18; also col. 21, lines 30-50 and col. 23, lines 25-38); and

searching a routing database for at least one database identifier based on the selected search request data (database identifier is a area code, from which that area code database to be search: col. 23, lines 25-65).

Lamburt teaches maintaining a searchable database, receiving a search request including the search term such as geographical area code or area code from the user of the system, and the area code is a database identifier based on the search request. Lamburt does not clearly teach search request data to determine whether the search request should be routed to the one or more search databases accessible by the receiving server; and if it is determined that the search request should be routed to the one or more first databases accessible to the receiving server, routing the search request to the one or more first databases accessible by the receiving server and one or more second databases associated with the one or more first databases; searching the one or more first databases accessible to the receiving server and the one or more second databases; and retuning the results of the search.

However, Voit teaches using the result of first database as a key to retrieve the data in the second database (abstract, col. 2, lines 1-12 and col. 3, lines 60-67 and col. 4, lines 1-3) and the routing result (col. 10, lines 5-18 and lines 65-67 and col. 11, lines 1-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Lamburt with the

teachings of Voit. One having ordinary skill in the art would have found it motivated to utilize the use of routing query to the first database with at least one database identifier associated with the second database and a deletion indicator as disclosed (Voit's abstract and col. 9, lines 20-32), into the system of Lamburt for the purpose of enabling the user to search, access and update the distributed database records over the network with multiple databases, thereby, providing the systems having routing plans more efficient (Voit's fig. 8 and col. 10, lines 18-25).

With respect to claims 13-15, Lamburt teaches a method as discussed in claim 12.

Lamburt teaches maintaining a searchable database, receiving a search request including the search term such as geographical area code or area code from the user of the system, and the area code is a database identifier based on the search request. Lamburt does not clearly teach wherein the determining includes analyzing the search request to identify one or more items of routing data; routing the search request to a second server if it is determined that the search request should not be routed to the first databases accessible by the receiving server; and wherein said second server is remotely located from the receiving server.

However, Voit teaches second database and routing data (abstract, col. 7, lines 35-52 and col. 10, lines 65-67 and col. 11, lines 1-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Lamburt with the teachings of Voit. One having ordinary skill in the art would have found it motivated to

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utilize the use of routing query to the first database with at least one database identifier associated with the second database and a deletion indicator as disclosed (Voit's abstract and col. 9, lines 20-32), into the system of Lamburt for the purpose of enabling the user to search, access and update the distributed database records over the network with multiple databases, thereby, providing the systems having routing plans more efficient (Voit's fig. 8 and col. 10, lines 18-25).

With respect to claims 16-19, Lamburt teaches a method as discussed in claim 12.

Lamburt teaches maintaining a searchable database, receiving a search request including the search term such as geographical area code or area code from the user of the system, and the area code is a database identifier based on the search request. Lamburt does not clearly teach wherein the one or more second databases comprise a plurality of records for updating the one or more of the first databases; further comprising merging the search results returned from the first databases with the search results returned from the one or more second databases; routing the search request to the one or more databases accessible by said second server; and returning to the receiving server the results of the search obtained in response to the routing of the search request to the one or more databases accessible by said second server.

However, Voit teaches first database, second database and routing data (abstract, col. 6, lines 46-64, col. 7, lines 35-52 and col. 10, lines 65-67 and col. 11, lines 1-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Lamburt with the teachings of Voit. One having ordinary skill in the art would have found it motivated to utilize the use of routing query to the first database with at least one database identifier associated with the second database and a deletion indicator as disclosed (Voit's abstract and col. 9, lines 20-32), into the system of Lamburt for the purpose of enabling the user to search, access and update the distributed database records over the network with multiple databases, thereby, providing the systems having routing plans more efficient (Voit's fig. 8 and col. 10, lines 18-25).

With respect to claim 20, Lamburt a system for routing search request (col. 7, lines 32-48 and col. 22, lines 65-67 and col.23, lines 1-38);

an input device for receiving a search request. the search request comprising search request data in a plurality of search request fields of predetermined types; and a receiving server having one or more first databases accessible for searching,

wherein the receiving server is capable of searching a routing database for at least one database identifier based on search request data selected from at least one of the search request fields (the search request including the geographical area code such as search term for retrieving the type of are code; col. 61, lines 1-18; col. 61, lines 1-18; also col. 21, lines 30-50 and col. 23, lines 25-38; and database identifier is a area code, from which that area code database to be search: col. 23, lines 25-65).

Lamburt teaches maintaining a searchable database, receiving a search request including the search term such as geographical area code or area code from the user of

the system, and the area code is a database identifier based on the search request. Lamburt does not clearly teach search request data to determine whether the search request should be routed to the one or more search databases accessible by the receiving server; and if it is determined that the search request should be routed to the one or more first databases accessible to the receiving server, routing the search request to the one or more first databases accessible by the receiving server and one or more second databases associated with the one or more first databases; searching the one or more first databases accessible to the receiving server.

However, Voit teaches using the result of first database as a key to retrieve the data in the second database (abstract, col. 2, lines 1-12 and col. 3, lines 60-67 and col. 4, lines 1-3).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Lamburt with the teachings of Voit. One having ordinary skill in the art would have found it motivated to utilize the use of routing query to the first database with at least one database identifier associated with the second database and a deletion indicator as disclosed (Voit's abstract and col. 9, lines 20-32), into the system of Lamburt for the purpose of enabling the user to search, access and update the distributed database records over the network with multiple databases, thereby, providing the systems having routing plans more efficient (Voit's fig. 8 and col. 10, lines 18-25).

Claim 21 is essentially the same as claim 13 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 13 hereinabove.

Claim 22 is essentially the same as claim 14 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 14 hereinabove.

Claim 23 is essentially the same as claim 15 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 15 hereinabove.

Claim 24 is essentially the same as claim 18 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 18 hereinabove.

Claim 25 is essentially the same as claim 19 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 19 hereinabove.

Claim 26 is essentially the same as claim 16 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 16 hereinabove.

With respect to claim 28, Lamburt teaches a method as discussed in claim 20. Lamburt teaches maintaining a searchable database, receiving a search request including the search term such as geographical area code or area code from the user of the system, and the area code is a database identifier based on the search request.

Lamburt does not clearly teach wherein the receiving server merges the search results returned from one or more first databases with the search results returned from the second databases.

However, Voit teaches first database, second database and routing data (abstract, col. 6, lines 46-64, col. 7, lines 35-52 and col. 10, lines 65-67 and col. 11, lines 1-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Lamburt with the teachings of Voit. One having ordinary skill in the art would have found it motivated to utilize the use of routing query to the first database with at least one database identifier associated with the second database and a deletion indicator as disclosed (Voit's abstract and col. 9, lines 20-32), into the system of Lamburt for the purpose of enabling the user to search, access and update the distributed database records over the network with multiple databases, thereby, providing the systems having routing plans more efficient (Voit's fig. 8 and col. 10, lines 18-25).

With respect to claim 29, Lamburt teaches a method of routing search requests (search result from a search request: figs. 30, and 37-38, col. 17, lines 40-65 and col. 30, lines 32-60); maintaining a routing database for identifying one or more first database to search in response to a search request; receiving the search request- the search request comprising search request data in a plurality of search request fields of predetermined types; selecting search request data in at least one of the search request fields; searching the routing database for at least one database identifier based on the

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selected search request data and to determine at least one route to one or more first databases to search in response to the search request (fig. 25, modifications or updating database: col. 13, lines 35-58; the search request including the geographical area code such as search term for retrieving the type of area code; col. 61, lines 1-18; col. 61, lines 1-18; also col. 21, lines 30-50 and col. 23, lines 25-38; and database identifier is a area code, from which that area code database to be search: col. 23, lines 25-65).

Lamburt teaches maintaining a searchable database, receiving a search request including the search term such as geographical area code or area code from the user of the system, and the area code is a database identifier based on the search request. Lamburt does not clearly teach if the search of the routing database is successful, routing the search request to a first database associated with the at least one database identifier and to a secondary databases associated with the first database; and in other instances, routing the search request to a second database identified by one or more default routes.

However, Voit teaches using the result of first database as a key to retrieve the data in the second database (abstract, col. 2, lines 1-12 and col. 3, lines 60-67 and col. 4, lines 1-3) and col. 9, lines 20-32 and col. 10, lines 25-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Lamburt with the teachings of Voit. One having ordinary skill in the art would have found it motivated to utilize the use of routing query to the first database with at least one database identifier

associated with the second database and a deletion indicator as disclosed (Voit's abstract and col. 9, lines 20-32), into the system of Lamburt for the purpose of enabling the user to search, access and update the distributed database records over the network with multiple databases, thereby, providing the systems having routing plans more efficient (Voit's fig. 8 and col. 10, lines 18-25).

With respect to claim 30, Lamburt teaches analyzing the search request to identify one or more items of routing data ().

With respect to claim 31, Lamburt teaches searching a routing database with the identified one or more items of routing data to identify at least one of the first databases to which the search request should be routed (col. 22, lines 66-67 and col. 23, lines 1-38).

With respect to claim 32, Lamburt teaches wherein the routing databases identifies at least one route to at least one of the first databases that are appropriate to search in response to the search request (col. 23, lines 22-48).

With respect to claim 33, Lamburt teaches the search request is routed to a at least one of the first databases identified by the one or more default routes if the search request does not include a field that is used for routing (col. 23, lines 1-48).

With respect to claim 34, Lamburt teaches wherein the search request is routed to at least one of the first databases identified by the one or more default routes if the search request includes a field that is used for routing but the field has an unspecified value (the search request including the geographical area code such as search term for

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retrieving the type of are code; col. 61, lines 1-18; col. 61, lines 1-18; also col. 21, lines 30-50 and col. 23, lines 25-38).

With respect to claim 35, Lamburt teaches wherein the search request is routed to at least one of the first databases identified by the one or more default routes if the search request includes a field that is used for routing but the data populating the field does not correspond to any entries in the routing databases (the search request including the geographical area code such as search term for retrieving the type of are code; col. 61, lines 1-18; col. 61, lines 1-18; also col. 21, lines 30-50 and col. 23, lines 25-38).

7. Claims 7 and 11 are allowed.

Allowable Subject Matter

8. The following is a statement of reasons for the indication of allowable subject matter: the claim 7 has the distinct features including "one or more second databases associated with the first databases, said second databases including update records having update database fields; a search router for receiving the query ... each of said one or more databases identifiers identifying one or more of the first databases and a sorter for generating the responsive records resulting from the search of the selected first and second databases, and including in the search output the records responsive to the query except at least one or more of the database records which to the update

record when the delete indicator is made in the update database field of the update record.”

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV or fax to **(571) 273-4039**. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or **Primary Examiner Jean Corrielus (571) 272-4032**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: Central Fax Center **(571) 273-8300**


JEAN M. CORRIELUS
PRIMARY EXAMINER

ANH LY 
OCT. 12th, 2005